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DEPT PLEASE PASS TO NEA/ARP FOR RJACHIM/SRAMESH AND
DRL/NESCA FOR JLIEBERMAN

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SUBJECT: SAUDI'S JUDICIAL REFORM WILL LIKELY HAVE IMPACT ON
OTHER REGIONS

¶1. (U) SUMMARY: According to the Saudi Press Agency (SPA), King Abdullah, custodian of the Two Holy Mosques, issued a Royal decree on October 3, which will introduce safeguards and mechanisms to strengthen the independence of the judiciary in the Kingdom. The new regulations will establish two Supreme Courts and specialized labor and commercial tribunals. The new laws replace regulations in effect for more than 30 years. Media reports state that Saudi officials believe the new body of laws would revolutionize the Kingdom's justice system and likely improve the human rights situation. END SUMMARY.

¶2. (U) According to the Saudi Press Agency (SPA), King Abdallah issued a Royal decree to overhaul the Kingdom's judicial system, including allocating seven billion SAR (approximately 1.9 billion USD) to train judges and build new courts. The International newspaper "Herald Tribune" reported on October 5 that the king's announcement is an effort to fulfill a promise he made a few months ago to reform the much-criticized judicial system. The decree establishes two Supreme Courts -- a general court and an administrative court -- and specialized labor and commercial tribunals. The courts replace the Supreme Judicial Council, which will now only review administrative issues like judges, salaries and appointments. According to the SPA, the new laws emphasize the authority of judges in taking independent decisions without being influenced by others.

¶3. (U) The new laws replace regulations in effect for more than 30 years for the judicial laws and 25 years for the Board of Grievances. Currently, justice in the Kingdom is administered by a system of religious courts, which rely heavily on the interpretation of Sharia law. While justice is usually done, it is not always done in a consistent manner, because of the leeway that individual judges often enjoy to set sentences. Judges - appointed by the king on the recommendation of the Supreme Judicial Council - have complete discretion to set sentences, except in cases where Sharia outlines a punishment, such as capital crimes. Therefore, no two judges would likely hand down the same verdict for similar crimes. Under the current judicial system problems arose such as issues over sentencing, which was caused by trials where no physical evidence was presented. However, according to the SPA, the new laws will allow the Supreme Court to review rulings pertaining to capital crimes.

¶4. (U) Media reports state that Saudi officials and lawyers believe the new body of laws would revolutionize the kingdom's justice system and likely improve the human rights situation. The "Daily Star" reported that these judicial reforms could also bode well for the entire region because the Kingdom's announcement may likely initiate significant and comprehensive judicial reforms for surrounding countries.

Subsequent reporting also refers to the Kingdom as the region's moral influence because of its custodianship of two Holiest cities. This means, according to press reports, that the new reforms hold the promise of social, economic, and political advances in Saudi Arabia that are likely to have major impact in other parts of the Arab and Islamic world that look to the Kingdom for inspiration and guidance.

15. (U) COMMENT: Overhauling the judicial system is one of the primary ways of any society to achieve progress and modernization. However, Saudi society changes slowly, and the judicial system is no different. Post has follow up meetings scheduled for after the Hajj with the with various ministries affected by this Royal decree. END COMMENT.
FRAKER